



US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

# PUBLIC NOTICE

## **In replying refer to:**

Public Notice Number: 2004-00020-YW  
Issue Date: 5 July 2006  
Expiration Date: 4 August 2006

### To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

**APPLICANT:** FC Yonkers Associates, LLC  
One Metro Tech Center North  
Brooklyn, NY 11201

**ACTIVITY:** Discharge fill materials into wetlands and provide mitigation

**WATERWAY:** Sprain and Grassy Sprain Brook (HUDSON RIVER - YONKERS TO  
POUGHKEEPSIE River Basin)

**LOCATION:** Town of Yonkers, Westchester County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with

**CENAN-OP-RE**  
**PUBLIC NOTICE NO. 2004-00020-YW**

particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

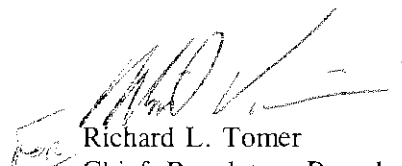
Based upon a review of the latest published version of the National Register of Historic Places, the project may affect sites eligible for, or included in, the Register within the permit area. New York District, U.S Army Corps of Engineers will consult with NYS Office of Parks, Recreation and Historic Preservation (SHPO) prior to a final permit decision. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit. SHPO has requested additional information from the applicant.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

In addition to any required water quality certificate, the applicant has requested authorization from New York State Department of Environmental Conservation and the City of Yonkers for the activity under consideration.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8521 and ask for Frank Tangorra.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer  
Chief, Regulatory Branch

Enclosures

### WORK DESCRIPTION

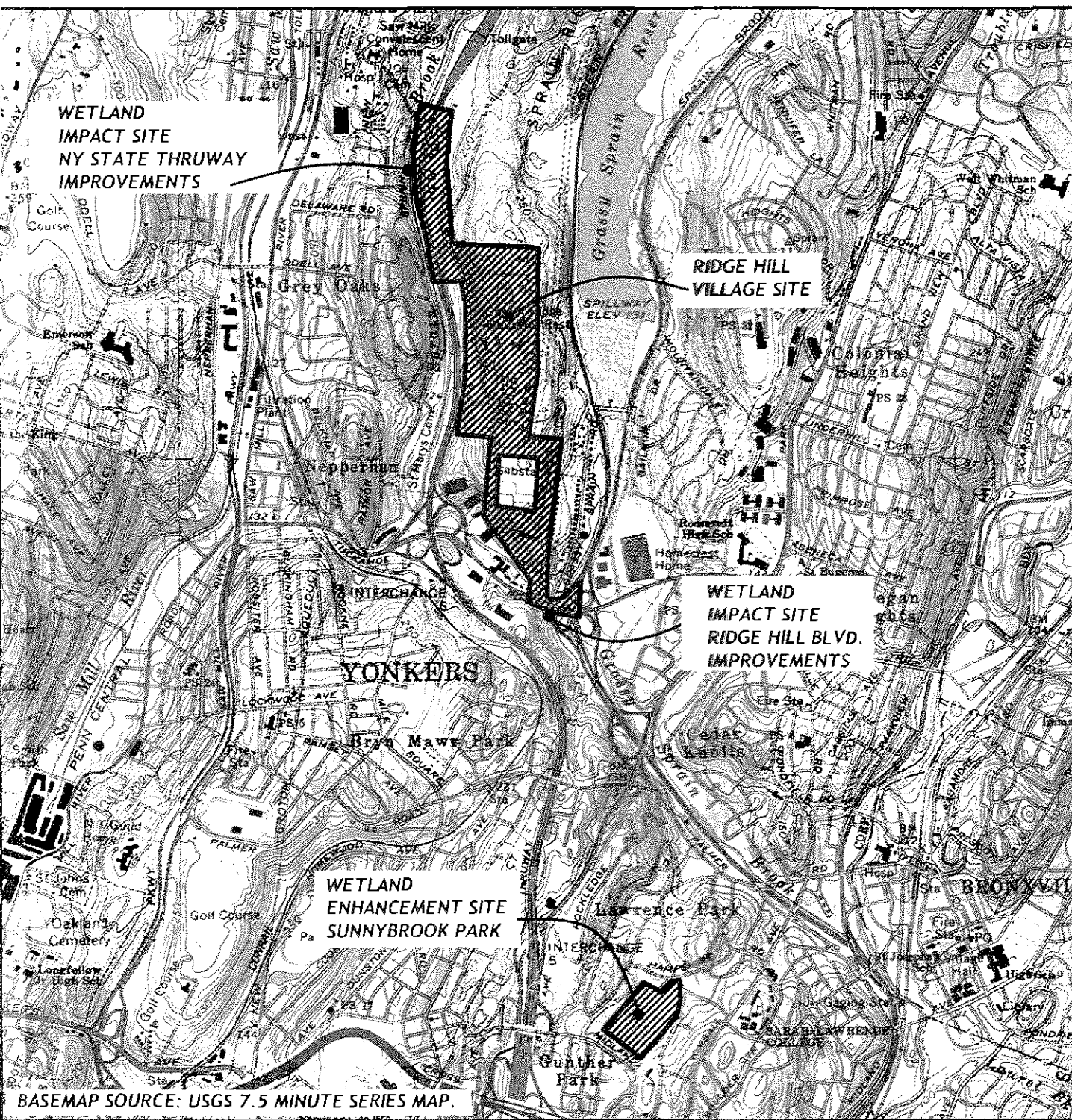
The applicant, FC Yonkers Associates, LLC, has requested Department of the Army authorization to discharge fill material into wetlands and provide mitigation in Sprain and Grassy Sprain Brook in Hudson River Basin at City of Yonkers, Westchester County, New York.

The work would involve the discharge of fill material into approximately 0.9 acres of non-tidal wetlands to construct a southbound service road west of the New York State Thruway (Interstate 87) and an access road west of Tuckahoe Road to the proposed approximate 144 acre multi-use development known as Ridge Hill Village. Approximately 4.8 acres of Phragmites dominated wetlands would be enhanced in the City of Yonkers Sunnybrook Park.

To avoid impacts to the Sprain Brook associated with the NYS Thruway Southbound Service Road a no-build alternative was proposed. This would require the reactivation and rehabilitation of the Ridge Hill Bridge and its southbound entrance ramp and the removal or continued use of the southbound entrance ramp from the Stew Leonard's Bridge. NYS Thruway Authority determined this alternative to be unsafe and unacceptable. A location further east of the current proposed location was not pursued as the NYS Thruway Authority needs the area for future high speed toll lanes. To reduce impacts, retaining walls in lieu of fill slopes are proposed. To avoid impacts to the Sprain Brook associated with the Ridge Hill Boulevard and New Road a no-build alternative was proposed. This alternative was not pursued as it would significantly and negatively impact traffic patterns and safety. A location for the New Road that is further to the north would minimize impacts to the Sprain Brook. However, this alternative would require rebuilding the southbound Sprain Brook Parkway exit ramp, that would result in wetland impacts along the Grassy Sprain Brook. To minimize impacts to the Sprain Brook, use and expansion of the existing entry drive to Con Edison substation was considered. However, this alternative was not pursued as this roadway is too narrow to handle project traffic and would result in unacceptable impacts to the Con Edison unit sub-station located at Tuckahoe Road. To reduce impacts, retaining walls in lieu of fill slopes are proposed along portions of Ridge Hill Boulevard and the New Road.

The applicant stated that significant resources was expended to identify appropriate mitigation in close proximity to the proposed wetland impacts. None were found adjacent to the wetlands on site because nearby land was either developed; undeveloped but protected for future development by New York State Department of Transportation and New York State Thruway Authority ROW land; or undeveloped but inappropriate for ecological reasons (nearby Westchester County parkland that has insufficient hydrology to support wetland creation). City of Yonkers assisted with this search and identified Sunnybrook Park

Construction of the multi-use development known as Ridge Hill Village would allow the applicant to achieve economic objectives for the development of this parcel and provide the public with additional housing opportunities, hotel and conference center, office space, and retail stores. The applicant states that the project would be a catalyst for economic development in accordance with Yonkers Comprehensive Plan and supported by the City of Yonkers.



BASEMAP SOURCE: USGS 7.5 MINUTE SERIES MAP.

**WILLIAM KENNY  
ASSOCIATES LLC**

SOIL SCIENCE  
ECOLOGICAL SERVICES  
LAND USE PLANNING  
LANDSCAPE ARCHITECTURE

211 WEBB ROAD  
FAIRFIELD CT. 06825  
PHONE: 203 366 0588  
FAX: 203 366 0067  
www.wkassociates.net

PROJECT NAME:  
**RIDGE HILL VILLAGE**

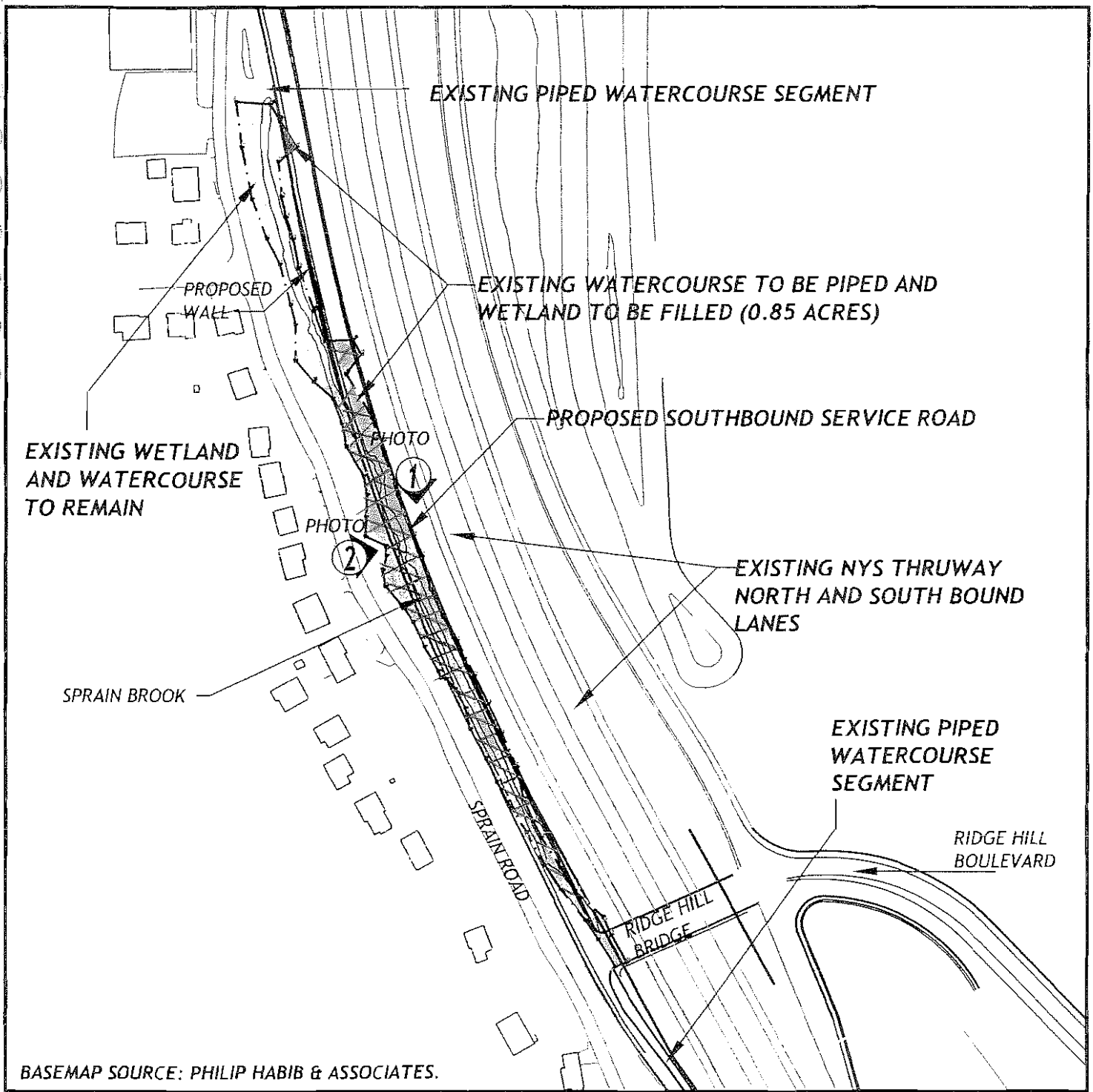
DRAWING NAME:  
**PROJECT LOCATION MAP**

DRAWING NUMBER:  
**1 OF 9**



APPLICANT:  
**FC YONKERS ASSOC., LLC**  
CITY:  
**YONKERS**  
COUNTY:  
**WESTCHESTER**

STATE:  
**NEW YORK**  
DATE:  
**05-17-05**



BASEMAP SOURCE: PHILIP HABIB & ASSOCIATES.

**WILLIAM KENNY  
ASSOCIATES LLC**

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ECOLOGICAL SERVICES  
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LANDSCAPE ARCHITECTURE

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PHONE: 203 366 0588  
FAX: 203 366 0067  
www.wkassociates.net

PROJECT NAME:  
**RIDGE HILL VILLAGE**  
DRAWING NAME:  
**WETLAND IMPACT PLAN  
NY STATE THRUWAY  
IMPROVEMENTS**

DRAWING NUMBER:

**2 OF 9**

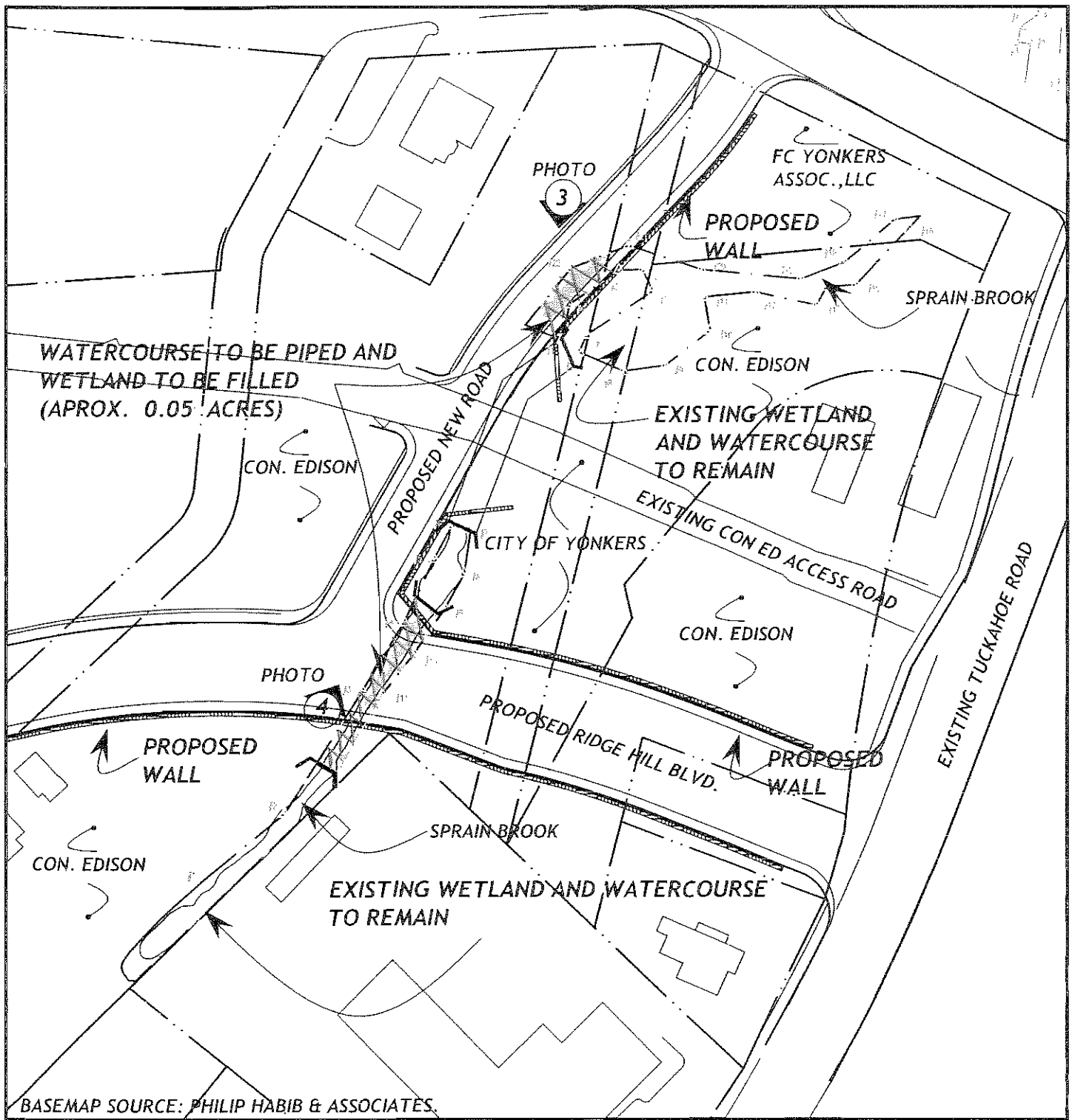
SCALE:

0' 100' 200' 400'



APPLICANT:  
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CITY:  
**YONKERS**  
COUNTY:  
**WESTCHESTER**

STATE:  
**NEW YORK**  
DATE:  
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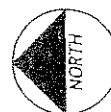
217 WEBB ROAD  
FAIRFIELD CT. 06825  
PHONE: 203 366 0588  
FAX: 203 366 0067  
www.wkassociates.net

PROJECT NAME:  
**RIDGE HILL VILLAGE**

DRAWING NAME:  
**WETLAND IMPACT PLAN  
RIDGE HILL BLVD. IMPROVEMENTS**

DRAWING NUMBER:  
**3 OF 9**

SCALE:  
0' 40' 80' 160'



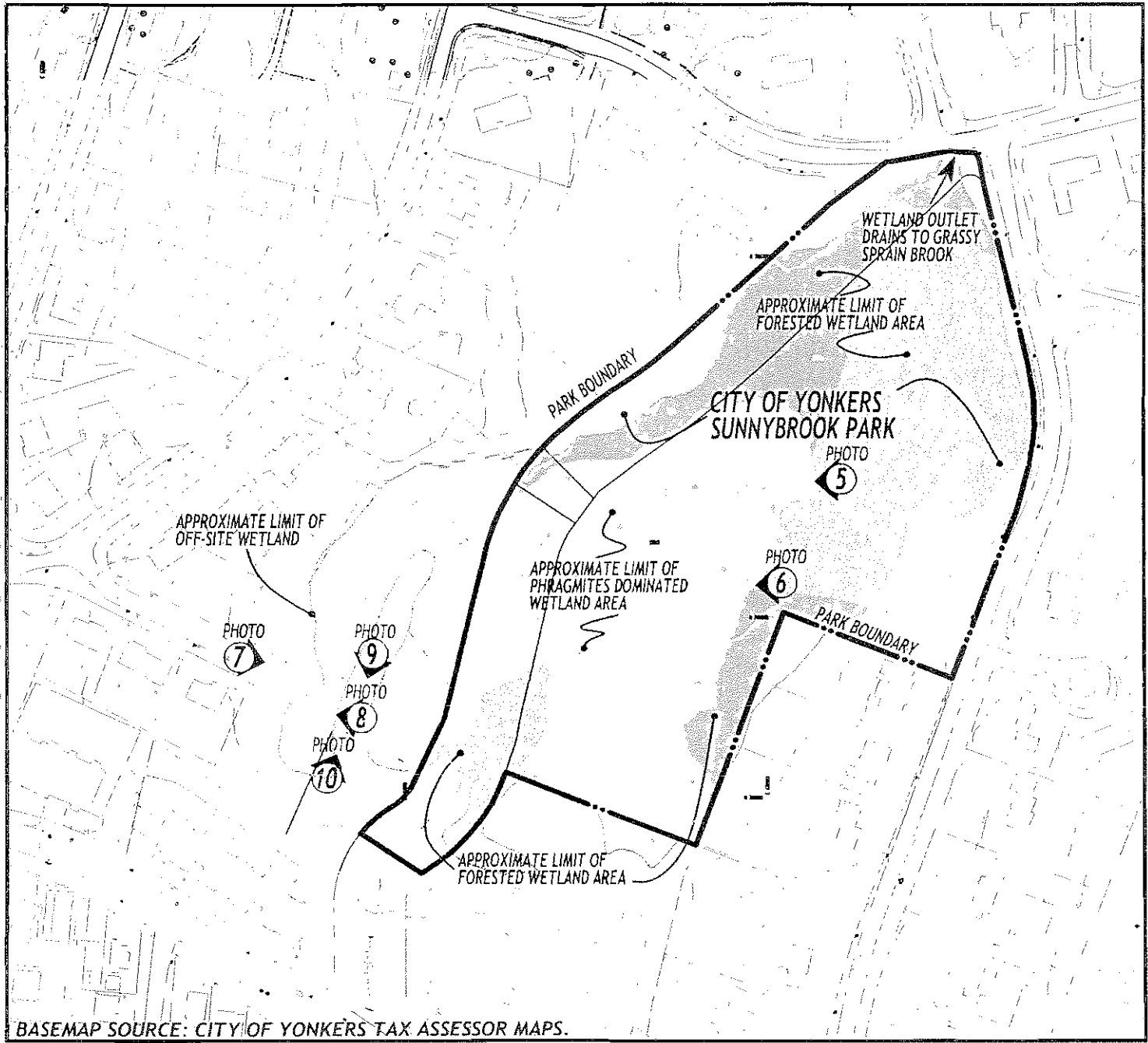
APPLICANT:  
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PROJECT NAME:  
**RIDGE HILL VILLAGE**

DRAWING NAME:  
**WETLAND ENHANCEMENT  
EXISTING CONDITIONS PLAN**

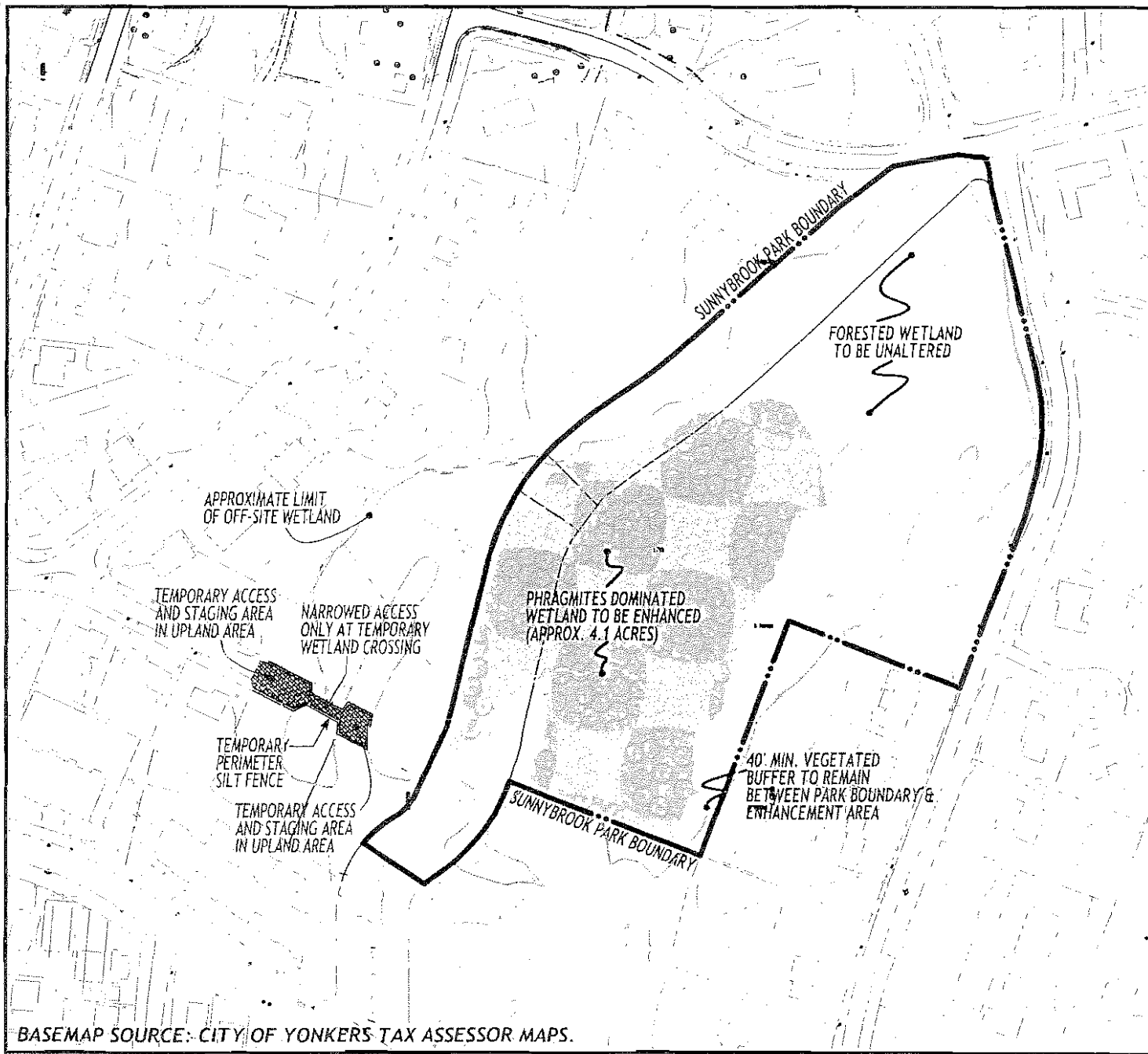
DRAWING NUMBER:  
**4 OF 9**

SCALE:  
0' 100' 200' 400'



APPLICANT:  
**FC YONKERS ASSOC., LLC**  
CITY:  
**YONKERS**  
COUNTY:  
**WESTCHESTER**

STATE:  
**NEW YORK**  
DATE:  
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PROJECT NAME:  
**RIDGE HILL VILLAGE**  
DRAWING NAME:  
**WETLAND ENHANCEMENT  
PROPOSED CONDITIONS PLAN**

DRAWING NUMBER:  
**5 OF 9**

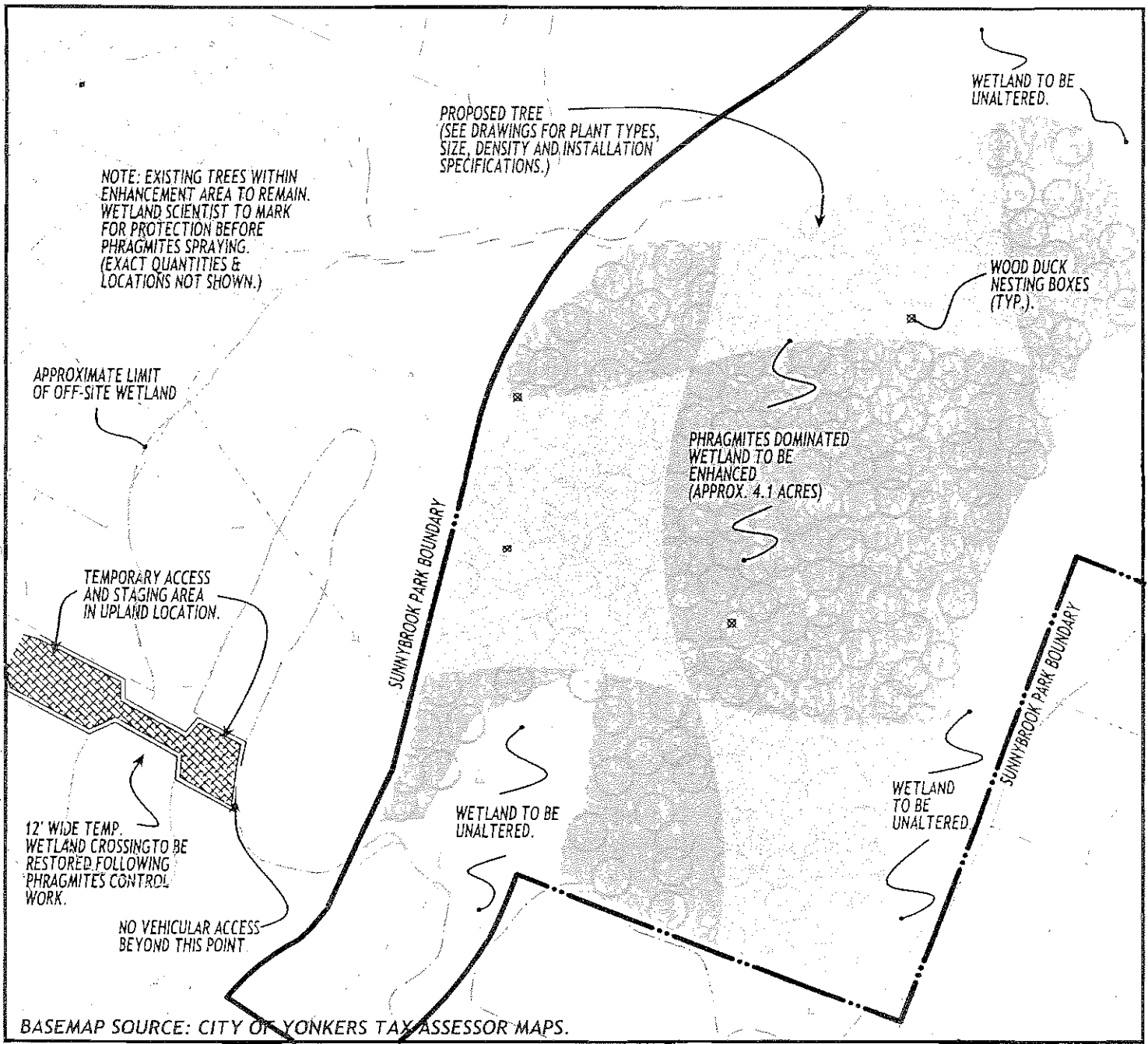
SCALE:  
0' 100' 200' 400'



APPLICANT:  
**FC YONKERS ASSOC., LLC**  
CITY:  
**YONKERS**  
COUNTY:  
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STATE:  
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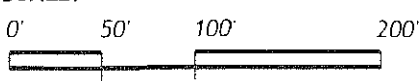
217 WEBB ROAD  
FAIRFIELD CT. 06825  
PHONE: 203 366 0588  
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PROJECT NAME:  
**RIDGE HILL VILLAGE**

DRAWING NAME:  
**WETLAND ENHANCEMENT  
PROPOSED CONDITIONS PLAN DETAIL**

DRAWING NUMBER:  
**6 OF 9**

SCALE:  
0' 50' 100' 200'



APPLICANT:  
**FC YONKERS ASSOC., LLC**

CITY:  
**YONKERS**

COUNTY:  
**WESTCHESTER**

STATE:  
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DATE:  
**05-17-05**

### PLANT LIST

SYM.	QTY.	SCIENTIFIC NAME	COMMON NAME	SIZE	ROOT
<u>TREES</u>					
AR	45	ACER RUBRUM	RED MAPLE	5-6 FT. HT.	CONTAINER
AS	45	ACER SACCHARINUM	SILVER MAPLE	5-6 FT. HT.	CONTAINER
FN	25	FRAXINUS NIGRA	BLACK ASH	5-6 FT. HT.	CONTAINER
LS	45	LIQUIDAMBER STYRACIFLUA	SWEET GUM	5-6 FT. HT.	CONTAINER
NS	25	NYSSA SYLVATICA	TUPILO	5-6 FT. HT.	CONTAINER
QB	15	QUERCUS BICOLOR	SWAMP WHITE OAK	5-6 FT. HT.	CONTAINER
QP	15	QUERCUS PALUSTRIS	PIN OAK	5-6 FT. HT.	CONTAINER

TOTAL: 215

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PROJECT NAME:  
**RIDGE HILL VILLAGE**

DRAWING NAME:  
**WETLAND ENHANCEMENT  
TREE SPECIES LIST**

DRAWING NUMBER:  
**7 OF 9**

APPLICANT:  
**FC YONKERS ASSOC., LLC**  
CITY:  
**YONKERS**  
COUNTY:  
**WESTCHESTER**

STATE:  
**NEW YORK**

DATE:  
**05-17-05**

#### COMMON REED (PHRAGMITES AUSTRALIS) CONTROL PLAN

THE PROPOSED METHOD FOR COMMON REED CONTROL INCLUDES VEGETATION CUTTING AND HERBICIDE SPRAYING IN THE SHORT-TERM AND SHADING VIA CANOPY TREES IN THE LONG-TERM. THE FOLLOWING NARRATIVE SPECIFIES THE SEQUENCE AND METHODS FOR THE SHORT-TERM AND LONG-TERM PLANS.

##### YEAR 1

- 1) IN LATE SPRING, CUT THE PAST YEARS' PERSISTENT AND DEAD REED GROWTH USING HAND-HELD EQUIPMENT. DO NOT CUT WOODY VEGETATION TALLER THAN 4 FEET.
- 2) OBTAIN REVIEW AND FLAGGING BY PROJECT WETLAND SCIENTIST OF WOODY VEGETATION TO REMAIN AND BE PROTECTED.
- 3) FOLLOWING THE FORMATION OF THE COMMON REED SEED HEAD, APPLY THE HERBICIDE GLYPHOSATE TO THE EXISTING STANDS OF COMMON REED. APPLY THE HERBICIDE DIRECTLY ONTO THE FOLIAGE OF THE COMMON REED AT A CONCENTRATION OF 4.5-8 PINTS OF GLYPHOSATE PER ACRE PREMIXED WITH AN APPROPRIATE AQUATIC SURFACTANT. APPLY THE HERBICIDE BY INDIVIDUALS ON FOOT USING BACK-PACK SPRAYERS. DO NOT APPLY HERBICIDE TO WOODY VEGETATION FLAGGED TO REMAIN OR TO COMMON REED WITHIN 5 FEET.
- 4) AT LEAST EIGHT WEEKS FOLLOWING THE HERBICIDE TREATMENT, CUT THE ENTIRETY OF THE TREATED COMMON REED STANDS.

##### YEAR 2

- 1) MONITOR FOR SIGNS OF COMMON REED RECOLONIZATION. DEPENDING UPON THE DENSITY OF RECOLONIZATION, SELECT A FOLLOW-UP TREATMENT METHOD. IF COMMON REED EMERGES IN GREATER THAN 25% OF THE INITIALLY TREATED AREA, BACK-PACK SPRAYING OF GLYPHOSATE WILL OCCUR. IF THE RECOLONIZATION IS LIMITED TO 25% OR LESS OF THE TREATED AREA, CUTTING AND SWABBING GLYPHOSATE ON THE COMMON REED STALKS WILL OCCUR. MOW FOLLOWING THE SECOND APPLICATION OF GLYPHOSATE IF COMMON REED REEMERGED ON GREATER THAN 50% OF THE INITIALLY TREATED AREA.
- 2) INSTALL SILT FENCE AND TEMPORARY WETLAND CROSSING TO ALLOW FOR CONSTRUCTION ACCESS AND STAGING FOR TREE PLANTING.
- 3) PLANT TREES IN FALL AFTER SPRAYING AND CUTTING OF COMMON REED VEGETATION.
- 4) REMOVE SILT FENCE AND TEMPORARY WETLAND CROSSING.
- 5) RESTORE WETLAND CONDITIONS AT TEMPORARY CROSSING. GRADE SURFACE TO SIMILAR FINISH GRADES OF ADJACENT WETLAND, PROVIDE MIN. OF 6" OF TOPSOIL, INSTALL THREE TREES, SOW WETLAND SEED MIX AND MULCH WITH HAY.

##### YEAR 3-5

- 1) IN LATE SPRING OR EARLY SUMMER, CUT REMAINING COMMON REED VEGETATION BEFORE IT REACHES THE HEIGHT OF THE PLANTED TREES.

#### **WILLIAM KENNY ASSOCIATES LLC**

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PROJECT NAME:

**RIDGE HILL VILLAGE**

DRAWING NAME:

**WETLAND ENHANCEMENT  
PHRAGMITES CONTROL PLAN**

DRAWING NUMBER:

**8 OF 9**

APPLICANT:

**FC YONKERS ASSOC., LLC**

CITY:

**YONKERS**

COUNTY:

**WESTCHESTER**

STATE:

**NEW YORK**

DATE:

**05-17-05**

**NOTES:**

- 5-STAKES TOTAL PER TREE. 3 STAKES ADJACENT TO TREE ROOTBALL AND 2-STAKES THROUGH THE COIR LOG

SECURE TREE ROOT-MASS TO WOODEN STAKES BY WRAPPING WITH COIR TWINE

FILL VOIDS WITH TOPSOIL

SCARIFY TOP 3" OF UNDERLYING WETLAND SOIL

SECURE COIR LOG WITH HARDWOOD STAKE

TREE

COIR TWINE

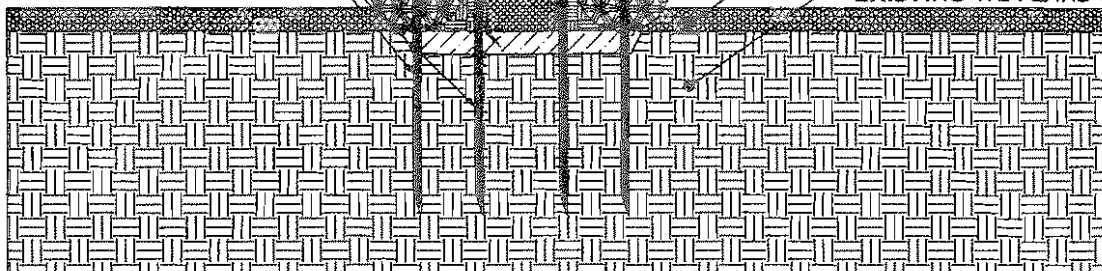
TREE ROOT BALL

1" X 1" X 3' HARDWOOD STAKE

12" DIAMETER COIR LOG "DONUT"

REMNANT PHRAGMITES ROOT MASS

EXISTING WETLAND SOIL



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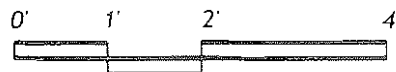
PROJECT NAME:  
**RIDGE HILL VILLAGE**

DRAWING NAME:  
**WETLAND ENHANCEMENT  
TREE PLANTING DETAIL**

DRAWING NUMBER:

**9 OF 9**

SCALE:



APPLICANT:  
**FC YONKERS ASSOC., LLC**

CITY:  
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